

EXHIBIT

17

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE WESTERN DISTRICT OF MISSOURI

3
4 KAREN BACKUES KEIL of Plaintiff,)
5 Plaintiff) Case
6) No. 5:18-CV-06074-B
7)
8)

9
10 MHM SERVICES, INC.,)
11 a Virginia Coporation)
12 JOHN DUNN, and)
13 EDWARD BEARDEN,)
14)
15)

16
17
18 ZOOM DEPOSITION OF KEVIN REED
19 July 23rd, 2021
20 10:10 a.m.
21
22
23
24
25

26 Reported By: Heidi Falick
27 Registered Professional Reporter
28 Certified Reporter No. 50120
29
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32 Also Appearing:
33 RITA YENCARELLI
34 (The Videographer/Alaris)
35

1 (Whereupon, Exhibit Nos. 3, 8 and 9 were
2 marked.)
3 ---o0o---
4 THE VIDEOGRAPHER: We are on the record.
5 Today's date is July 23rd, 2021. The time is
6 approximately 10:10 a.m. This is the zoom recorded
7 deposition of Kevin Reed. Will the court reporter please
8 swear in the witness.
9 ---o0o---
10 KEVIN REED,
11 The Witness herein, was duly sworn in by the Certified
12 Reporter, examined and testified as follows:
13 THE VIDEOGRAPHER: And, sir, you're going
14 to need to speak up, please.
15 THE WITNESS: Okay sorry.
16 BY MS. SNOW:
17 Q. Good morning, sir. Will you please state
18 your full name for the record.
19 A. My full name is Kevin Lee Reed.
20 Q. And have you ever given a deposition before?
21 A. No, ma'am.
22 Q. Okay. So, just a few ground rules, if you
23 will. First off, I'm going to be asking the majority of
24 the questions today, and I'm hoping you're going to give
25 me most of the answers today. If you do answer a

<p style="text-align: right;">Page 5</p> <p>1 question is it fair to assume that you understood the</p> <p>2 question that was asked?</p> <p>3 A. Yes, ma'am.</p> <p>4 Q. If you do not understand the question, and</p> <p>5 sometimes I do ask bad questions, go ahead and tell me</p> <p>6 you don't understand and I'll do my best to rephrase it,</p> <p>7 okay?</p> <p>8 A. Yes, ma'am.</p> <p>9 Q. And you're doing a great job about this so</p> <p>10 far, but make sure your responses are verbal such as</p> <p>11 "yes", "no", "I don't know", "please rephrase", so it's</p> <p>12 easier for the court reporter to taken down those</p> <p>13 responses because "uh huhs" and "unt-huhs" and head nods</p> <p>14 are not as easy to take down. Okay?</p> <p>15 A. Yes.</p> <p>16 Q. Last thing, if you need a break at any time</p> <p>17 as long as there's no question pending I'm happy to take</p> <p>18 a break whenever you need one. Okay?</p> <p>19 A. Okay.</p> <p>20 Q. Did you review anything to prepare for this</p> <p>21 deposition?</p> <p>22 A. I looked at a few of what my lawyer sent me.</p> <p>23 Q. Okay. And I don't know to know what your</p> <p>24 lawyer has talked to you about at all, but did you look</p> <p>25 at the petition in this lawsuit or the complaint in this</p>	<p style="text-align: right;">Page 7</p> <p>1 A. No, not really.</p> <p>2 Q. Well, when you say "not really" –</p> <p>3 A. No.</p> <p>4 Q. Okay.</p> <p>5 A. I kind of looked over the papers as far as</p> <p>6 the – just my answers. I kind of looked over those a</p> <p>7 little bit but that's all.</p> <p>8 Q. Okay. Have you talked to anyone in addition</p> <p>9 to your lawyers about this lawsuit?</p> <p>10 A. No.</p> <p>11 Q. You never talked to Edward Bearden about this</p> <p>12 lawsuit?</p> <p>13 A. No.</p> <p>14 Q. Are you married currently?</p> <p>15 A. Yes.</p> <p>16 Q. Is your wife Pamela Reed?</p> <p>17 A. Yes.</p> <p>18 Q. How long have you two been married?</p> <p>19 A. Be 24 years this year.</p> <p>20 Q. Okay. How many children do you guys have?</p> <p>21 A. We don't – I have two children of my own</p> <p>22 from a previous marriage, and I have two stepsons that</p> <p>23 were hers.</p> <p>24 Q. Okay. How many times have you been married?</p> <p>25 A. Counting now, this is my fourth time.</p>
<p style="text-align: right;">Page 6</p> <p>1 lawsuit?</p> <p>2 A. Yes.</p> <p>3 Q. Did you review your discovery answers?</p> <p>4 A. Yes.</p> <p>5 Q. What else did you review?</p> <p>6 A. I looked at what Ms. Dean's answers were to</p> <p>7 questions that my lawyer had asked her.</p> <p>8 Q. Okay. So, you reviewed Ms. Dean's answers to</p> <p>9 your discovery served on her. Anything else that you</p> <p>10 reviewed to prepare for today? It was her deposition?</p> <p>11 A. It was her deposition, I'm sorry –</p> <p>12 Ms. Dean's deposition.</p> <p>13 Q. Okay. You read her transcript?</p> <p>14 A. Yes. Not all of it just – I don't know what</p> <p>15 you would –</p> <p>16 Q. If you want me to interject, he read only</p> <p>17 pages – You have the pages there. Just tell me</p> <p>18 specifically what pages you had of Ms. Dean's deposition,</p> <p>19 and he did not actually have her discovery just to be</p> <p>20 clear. He only had from her the deposition.</p> <p>21 MS. HARRIS: Okay.</p> <p>22 THE WITNESS: It was pages 126 through</p> <p>23 155.</p> <p>24 Q. (Continued by Ms. Snow) Okay. Anything else</p> <p>25 that you reviewed to prepare for today?</p>	<p style="text-align: right;">Page 8</p> <p>1 Q. Okay. And what were your prior wife's names?</p> <p>2 A. My first wife was Emma Brownell, and that's</p> <p>3 her married name.</p> <p>4 Q. Mr. Reed, if you don't mind, if you know the</p> <p>5 spellings if you would go ahead and spell them for the</p> <p>6 record that would be great.</p> <p>7 A. Okay. Emma Brownell, E-m-m-a, Brownell is</p> <p>8 B-r-o-w-n-e-l-l. My second wife was Tammy Panitz, or do</p> <p>9 you want her married name?</p> <p>10 Q. Her married name would be good.</p> <p>11 A. Sylvester, S-y-l-v-e-s-t-e-r.</p> <p>12 Q. Okay.</p> <p>13 A. My third wife was Belinda, B-e-l-i-n-d-a,</p> <p>14 Bearbom (phonetic), and I'm not sure how to spell that</p> <p>15 one.</p> <p>16 (Court Reporter Admonition.)</p> <p>17 THE WITNESS: Panitz, P-a-n-i-t-z.</p> <p>18 Q. (Continued by Ms. Snow) And how long were</p> <p>19 you and Emma Brownell married for?</p> <p>20 A. About a year.</p> <p>21 Q. Okay. How long were you and Tammy married</p> <p>22 for?</p> <p>23 A. Thirteen years.</p> <p>24 Q. And how long were you and Belinda married</p> <p>25 for?</p>

2 (Pages 5 to 8)

<p style="text-align: right;">Page 9</p> <p>1 A. Five.</p> <p>2 Q. Okay. Did all of these marriages end in</p> <p>3 amicable divorces or –</p> <p>4 A. Yes.</p> <p>5 Q. Yes? Okay. And you said you have one child?</p> <p>6 A. No. I have two child -- two children.</p> <p>7 Sorry.</p> <p>8 Q. And what wife did you have them with?</p> <p>9 A. Tammy.</p> <p>10 Q. Tammy, okay. And is Christopher Reed the</p> <p>11 name of your son?</p> <p>12 A. Yes.</p> <p>13 Q. Do you have another son or a daughter?</p> <p>14 A. Daughter.</p> <p>15 Q. And what's her name?</p> <p>16 A. Amanda. I have to look. Her husband has a</p> <p>17 -- Matherly.</p> <p>18 Q. Can you spell that for me, please?</p> <p>19 A. M-a-t-h-e-r-l-y.</p> <p>20 Q. And where do Christopher and Amanda currently</p> <p>21 live?</p> <p>22 A. Amanda lives in Topeka, Kansas. Can I have</p> <p>23 just a minute, please?</p> <p>24 Q. Yes.</p> <p>25 THE VIDEOGRAPHER? Do you want to go off</p>	<p style="text-align: right;">Page 11</p> <p>1 certificate that I got when I passed for a Corrections</p> <p>2 Officer.</p> <p>3 Q. Okay. Are you a member of any professional</p> <p>4 groups or organizations?</p> <p>5 A. Not at this time. I used to be.</p> <p>6 Q. And what did you use to be a part of?</p> <p>7 A. BACA, Bikers Against Child Abuse.</p> <p>8 Q. And why did you stop participating in that</p> <p>9 group?</p> <p>10 A. Because I have arthritis real bad in my hands</p> <p>11 and my legs, and I couldn't ride a motorcycle anymore.</p> <p>12 Q. Okay. Well, when did you last either go to a</p> <p>13 meeting with that group or take a ride with them?</p> <p>14 A. I believe I stepped down in '17.</p> <p>15 Q. Okay. Do you remember if it was early 2017</p> <p>16 or late 2017?</p> <p>17 A. It was after I retired.</p> <p>18 Q. Okay. And you retired from the Department of</p> <p>19 Corrections?</p> <p>20 A. Yes.</p> <p>21 Q. And what date did you retire?</p> <p>22 A. It would have been March of '18. Prior to</p> <p>23 that is when I retired from BACA.</p> <p>24 Q. Okay. And of course we know that you at one</p> <p>25 point during your career with the Department of</p>
<p style="text-align: right;">Page 10</p> <p>1 the record?</p> <p>2 MS. SNOW: Yes, we can go off the record</p> <p>3 for a second.</p> <p>4 THE VIDEOGRAPHER: We are off the record.</p> <p>5 The time is approximately 10:19 a.m.</p> <p>6 (Whereupon, a recess was taken.)</p> <p>7 THE VIDEOGRAPHER: We are back on the</p> <p>8 record. The time is approximately 10:20.</p> <p>9 Q. (Continued by Ms. Snow) Okay. And,</p> <p>10 Mr. Reed, where does your son live?</p> <p>11 A. He is in Midland, Texas.</p> <p>12 Q. Okay. And what is your current address?</p> <p>13 A. 321 East Jackson Street, Linneus,</p> <p>14 L-i-n-n-e-u-s, Missouri.</p> <p>15 Q. And how long have you lived at that house?</p> <p>16 A. 25 years.</p> <p>17 Q. Okay. Will you just quickly walk me through</p> <p>18 your education, sir, where you went to high school, if</p> <p>19 you have a college degree, any licenses or</p> <p>20 certifications?</p> <p>21 A. I graduated high school Clay Center Community</p> <p>22 High School in Kansas. I had a Certificate in Wastewater</p> <p>23 Operations. I had a Certificate in Firefighting. I've</p> <p>24 had some -- I don't know if you would really call them</p> <p>25 certificates. I used to install cable TV, and then the</p>	<p style="text-align: right;">Page 12</p> <p>1 Corrections you worked at Chillicothe. I just would like</p> <p>2 you to walk me through quickly all the facilities you</p> <p>3 worked at during your I guess tenure at the department.</p> <p>4 So, what year were you hired on to work for the Missouri</p> <p>5 Department of Corrections?</p> <p>6 A. February.</p> <p>7 Q. Mr. Reed, sorry about that. What year were</p> <p>8 you hired on to work for the Missouri Department of</p> <p>9 Corrections?</p> <p>10 A. I was hired on February of '07.</p> <p>11 Q. Okay. And you said just now moments ago that</p> <p>12 you retired in March of '18?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. Between February of '07 and March of</p> <p>15 '18 how many facilities did you work at?</p> <p>16 A. I worked at -- I started at the WMCC which is</p> <p>17 Western Missouri Correctional Center, in Cameron.</p> <p>18 Q. Okay.</p> <p>19 A. I was there I believe two years and then I</p> <p>20 transferred to Chillicothe because of the mileage. I was</p> <p>21 driving 135 miles a day, and when they were going to open</p> <p>22 the new facility I transferred there because it was</p> <p>23 closer to my home.</p> <p>24 Q. Okay. And WMCC is not a woman's facility,</p> <p>25 right?</p>

3 (Pages 9 to 12)

<p style="text-align: right;">Page 13</p> <p>1 A. No. I worked at the men's prison.</p> <p>2 Q. Okay. And, so, you came -- You started</p> <p>3 working at Chillicothe in 2009?</p> <p>4 A. Yeah, I believe so.</p> <p>5 Q. Okay. What were your titles while you were</p> <p>6 working at Chillicothe?</p> <p>7 A. Correctional Officer.</p> <p>8 Q. One or two?</p> <p>9 A. One.</p> <p>10 Q. Were you a CO-1 the entire time?</p> <p>11 A. No. I was a sergeant for a month.</p> <p>12 Q. Okay. And do you remember when that was?</p> <p>13 A. No, I do not.</p> <p>14 Q. And why were you only a sergeant for one</p> <p>15 month?</p> <p>16 A. Because we had -- There was four of us that</p> <p>17 were promoted at that time and we had a woman, and an</p> <p>18 African American that was upset that the four of us were</p> <p>19 hired, so they complained about it. Said that I didn't</p> <p>20 have enough time to be a sergeant, which I did have but</p> <p>21 then they come back and told me, no, I didn't, because of</p> <p>22 when I started the academy, which would have been in</p> <p>23 April of '07.</p> <p>24 I, at that time, had told them when I</p> <p>25 started, and I was demoted back down to CO-1.</p>	<p style="text-align: right;">Page 15</p> <p>1 he was a sergeant at Chillicothe at that time?</p> <p>2 A. Could you repeat that again, please?</p> <p>3 Q. Sure. I'm just making sure that I understand</p> <p>4 what you're telling me. Is your testimony that Sergeant</p> <p>5 Richardson was a sergeant at Chillicothe in March of 2018</p> <p>6 when you retired?</p> <p>7 A. Yes, Yes.</p> <p>8 Q. Okay. So, you were a sergeant for a month,</p> <p>9 and apart from that you were a Correctional Officer One</p> <p>10 the entire time you were at Chillicothe?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. Did you ever try to get promoted apart</p> <p>13 from that one time that you were a sergeant for a month;</p> <p>14 did you ever try again?</p> <p>15 A. Yes, I tried three or four times.</p> <p>16 Q. Okay. But you never were promoted?</p> <p>17 A. No.</p> <p>18 Q. Were you ever told why?</p> <p>19 A. No. A lot of it was younger kids and they</p> <p>20 were trying to promote the younger ones.</p> <p>21 Q. Okay. Where were you assigned to for the</p> <p>22 majority of your tenure at Chillicothe? So, from -- And</p> <p>23 I guess we have the year that you got to Chillicothe. Do</p> <p>24 you remember the month that you were transferred to</p> <p>25 Chillicothe?</p>
<p style="text-align: right;">Page 14</p> <p>1 Q. Okay. Did you say a woman and an African</p> <p>2 American complained about this?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. Do you remember the woman -- was it --</p> <p>5 Was the woman African American, or are you talking about</p> <p>6 two different people?</p> <p>7 A. No. I'm talking about two different people.</p> <p>8 They were upset because they did not get the promotion</p> <p>9 and so they complained about it. One of them got to keep</p> <p>10 it because he had prior service, I believe in the Air</p> <p>11 Force, or something like that.</p> <p>12 Q. Okay.</p> <p>13 A. But then the other three were demoted.</p> <p>14 Q. Okay. Do you remember the woman's name that</p> <p>15 was complaining about you getting promoted?</p> <p>16 A. Margorie Thompson.</p> <p>17 Q. And was she an officer or an offender?</p> <p>18 A. No, she was an officer.</p> <p>19 Q. Okay. And do you remember the name of the</p> <p>20 African American who complained about you getting</p> <p>21 promoted?</p> <p>22 A. Well, now, he's -- the last I knew when I</p> <p>23 retired he was a sergeant, and I want to say it was</p> <p>24 Sergeant Richardson.</p> <p>25 Q. Okay. And when you retired in March of 2018</p>	<p style="text-align: right;">Page 16</p> <p>1 A. No, not right off the top of my head I don't.</p> <p>2 Q. That's fine. But we think it was sometime in</p> <p>3 2009 or 2010?</p> <p>4 A. Yes, I believe 2009.</p> <p>5 Q. Okay. And between 2009 and 2010 through</p> <p>6 March of 2018 where in the facility did you work most of</p> <p>7 the time?</p> <p>8 A. My majority of my time was spent in food</p> <p>9 service.</p> <p>10 Q. Okay. And what does that -- if you could</p> <p>11 just explain to the jury what does food service -- what</p> <p>12 does that mean?</p> <p>13 A. We made the meals, prepared the meals.</p> <p>14 That's about it.</p> <p>15 Q. So, you were in the kitchen?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. Can you explain to me the layout --</p> <p>18 well, strike that. Over the duration of your time in the</p> <p>19 kitchen working at Chillicothe did the layout of the</p> <p>20 kitchen change at all?</p> <p>21 A. Just the officer's office.</p> <p>22 Q. Okay. And how did that change?</p> <p>23 A. We moved to a bigger -- We moved to -- they</p> <p>24 had a break room that they -- for the inmates and then</p> <p>25 they told the inmates they weren't going to have that as</p>

4 (Pages 13 to 16)